

## **September 27, 2022 – EMPIRE VILLAGE COUNCIL REGULAR MEETING**

President Davis called the Regular Meeting to order and the Pledge of Allegiance was recited at 7:00 p.m. at the Empire Township Hall. Upon a roll call, Council members Bacon, Barr, Chase, Davis, Dye, Palmer and Rademacher were present. Clerk Smith was also present. Treasurer Schultz was absent and excused.

**CHANGES/ADDITIONS TO AGENDA** – Bacon added Sign Authority and Enforcement under New Business #2. Palmer added Union St. Detour Signs under New Business #3.

**ADOPTION OF AGENDA - Motion by Chase support by Rademacher to approve the agenda as amended. Upon a voice vote, MOTION PASSED.**

**PUBLIC COMMENTS ON AGENDA ITEMS** – Terry Bacon commented on the enforcement of the Sign Ordinance. His letter on the same is attached. John Lambkin commented on signs removed from his yard.

**CONSENT AGENDA – Motion by Dye, support by Bacon to approve the minutes of the August 8, 2022 Work Session, the August 25, 2022 Public Hearing and Regular Meeting and the September bills totaling \$17,118.05. ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. MOTION PASSED.**

**REVIEW OF FINANCIAL STATEMENTS** – Treasurer's report was received.

**COMMUNICATIONS** – A letter from Terry Bacon was received.

**DEPARTMENT HEAD REPORTS** – Davis reported on the Tree Planting taking place on Sept. 19<sup>th</sup>, Union St. detour signs will be placed once paving is started with all roads open until then. He noted that written reports from the DPW and Zoning Administrator are included in the packet. Palmer reported on a fly-in at the William Bolton airport on Oct. 1st. Rademacher reviewed his report on meeting with John Friend and Jamie Wade of EGLE.

**COUNCIL MEMBER /COMMITTEE REPORTS** – Personnel Committee is collaborating with Attorney on new policy and will be reviewing input at tomorrow's meeting.

### **OLD BUSINESS**

**CAPITAL IMPROVEMENT PLAN** – Bacon reviewed her documentation of the history of the current CIP that is included in the packet. Discussion included tracking repairs and maintenance or saving for large projects. The current budget was reviewed, and some projections of cost were discussed. There was consensus that further work on the CIP needs to be completed.

### **NEW BUSINESS**

**EACC TRUNK-OR-TREAT ST. CLOSURE REPORT – Motion by Dye, support by Palmer to approve the closure of Front St. from Union to LaRue on Monday, Oct. 31<sup>st</sup> from 4:30 p.m. until 7:30 p.m. ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED.**

**SIGN AUTHORITY AND ENFORCEMENT – Motion by Bacon, support by Rademacher to forward to the legal counsel a request for his legal opinion on the Sign Ordinance asking: Does the 2-sign limit violate the first amendment for political/campaign signs on**

**residential property? ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED. Motion by Bacon, support by Rademacher to cease any enforcement against political or campaign signs until an advisory opinion is presented by legal counsel.** There was discussion of recent law changes regarding political signs. Davis noted that he has asked the Zoning Administrator to cease removing any signs and leave a note. **ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED. Motion by Bacon, support by Rademacher to clarify the Zoning Administrator does not have the authority to remove signs unless a: they present an immediate danger to the public (Part I Sec. 11, Ordinance 142) or b. 15 days after obsolescence of a temporary sign. ROLL CALL: Ayes: Bacon, Barr, Chase, Davis, Dye, Palmer, Rademacher. Nays: None. MOTION PASSED.**

**UNION ST. DETOUR SIGNS – Motion by Palmer, support by Bacon to have Molon place detour signs so that people know how to get to the beach.** Discussion included the upcoming marathon and a possible additional cost. **ROLL CALL: Ayes: Bacon, Barr, Chase, Dye, Palmer, Rademacher. Nays: Davis. MOTION PASSED.**

**PUBLIC COMMENT –** Terry Bacon commented on Sign Ordinance including the content, the selective enforcement, and the number of signs in individual yards. Mel Laracey commented on an event at the Historical Museum this Friday and the drainage on Union.

**COUNCIL MEMBER COMMENT –** None.

**ADJOURNMENT** at 7:52 p.m.

Derith Smith Empire Village Clerk

*These minutes were approved at the October 27, 2022, Regular Council meeting.*